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Attorney for Plaintiff
Bin Li

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

Bin Li

Plaintiff,

V.

Michael Chertoff, Secretary of the
Department of Homeland Security;
Emilio T. Gonzalez, Director of United States
Citizenship and Immigration Services;
Robert S. Mueller III, Director of the Federal
Bureau of Investigation

Defendants

Case No. C 07-05564 HRL

JOINT MOTION FOR CHANGE OF VENUE; AND [PROPOSED] ORDER

Plaintiff by and through his attorney of record, and Defendants by and through their attorneys of record, hereby move this Court for a change of venue, should the Court deem it necessary, due to the following facts:

1. Plaintiff filed this case pro se at the San Jose division of the Northern District of California on November 1, 2007.
2. Plaintiff is a resident of Alameda County, CA, and should have field this case in either

1 the San Francisco or Oakland division of the Northern District.

2 The parties move for a change of venue only if the Court deems that one is necessary;
3 otherwise, both parties have no objection to continuing this action before the Honorable Judge
4 Lloyd in the San Jose division.

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7 Dated: January 24, 2008

Respectfully Submitted,

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9 /s/
10 Justin Fok, CA Bar: 242272
11 Attorney for Plaintiffs
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13 Dated: January 24, 2008

14 /s/
15 Ila C. Deiss
16 Assistant United States Attorney
17 Attorneys for Defendants
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ORDER

This Court deems that a change of venue is not necessary for this action. This case shall remain before this Court, IT IS SO ORDERED.

Date:

Howard R Lloyd
United States Magistrate Judge

ORDER

This Court deems that a change venue is necessary, and pursuant to the parties' motion, this case is transferred to the _____ division of the Northern District of California, IT IS SO ORDERED.

Date:

Howard R Lloyd
United States Magistrate Judge